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III. REMARKS

Claims 1-29 are pending in this application. . By this amendment, claims 1, 5, 10, 14, 16-18 and 23-25 have been amended. These amendments are being made to facilitate early allowance of the presently claimed subject matter. Applicant does not acquiesce in the correctness of the rejections and reserves the right to present specific arguments regarding any rejected claims not specifically addressed. Further, Applicant reserves the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application. Reconsideration in view of the following remarks is respectfully requested.

Entry of this Amendment is proper under 37 C.F.R. 1.116(b) because the Amendment: (a) places the application in condition for allowance as discussed below; (b) does not raise any new issues requiring further search and/or consideration; and (c) places the application in better form for appeal. Accordingly, Applicants respectfully request entry of this Amendment.

In the Office Action, claims 1-5, 8, 10-20 and 23-27 are rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Smith, Jr. (U.S. Patent No. 5,754,755), hereafter "Smith, Jr." Claims 6, 7, 9, 21, 22, 28 and 29 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Smith, Jr.

A. REJECTION OF CLAIMS 1-5, 8, 10-20 and 23-27 UNDER 35 U.S.C. §102(b)

With regard to the 35 U.S.C. §102(b) rejection over Smith, Jr., Applicant asserts that Smith, Jr. does not teach each and every feature of the claimed invention. For example, with respect to independent claims 1, 10, 16, 17, 23 and 24, Applicant submits that Smith, Jr. fails to

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teach providing a table having test data for the software product, the table being a column-row matrix of test data. Instead, the output file generator in Smith, Jr. "...receives an ordered list of customizing files that have application-specific placeholder values" Col. 2, lines 32-34. However, the customizing files of Smith, Jr. are specified as being in an ordered list and not a table. Furthermore, the ordered list of Smith, Jr. is only specified as having application-specific placeholder values and not as being a column-row matrix of "test data." Thus, nowhere does Smith, Jr. teach that its ordered list of customizing files is a table or that the table is a column-row matrix of test data. In contrast, the present invention includes "...providing a table having test data for the software product, the table being a column-row matrix of test data." Claim 1. As such, the test data for the software product as included in the claimed invention is not merely in an ordered list such as the ordered list of customizing files in Smith, Jr., but is rather in a table. Furthermore, unlike the order list of Smith, Jr., the table of the claimed invention is a column-row matrix of "test data." As such, the ordered list of customizing files in Smith, Jr. is not equivalent to the table as included in the claimed invention. Accordingly, Applicant respectfully requests that the Office withdraw its rejection.

With respect to claims 5, 14, 18 and 25, Applicant respectfully submits that Smith, Jr. also fails to teach that the test data is arranged into at least one row of potential test cases that each include an actor that indicates who is performing the potential test cases, a starting point that indicates the location from which the potential test cases will be commenced, and a test step required to perform one possible variation of a transaction. As stated above, Smith, Jr. does not teach a table having test data for the software product, but instead teaches an ordered list of customizing files. Col. 2, lines 32-34. As such the ordered list of Smith, Jr. does not have at

least one row of potential test cases. Furthermore, Smith, Jr. does not teach that each potential test case includes an actor, a starting point, and a test step as defined in the claims. The Office attempts to equate the control command of Smith, Jr. with the actor of the claimed invention. However, the control command of Smith, Jr. "...indicate[s] which common instructions should be included in the generated test script," not who is performing the test script. Col. 3, lines 20-23. The Office further attempts to equate the placeholder values of Smith, Jr. with the starting point of the claimed invention. However, Smith, Jr. teaches that its placeholder values "...allow[] for further sharing of testing instructions," and not that they indicate the location from which potential test cases will be commenced. The Office still further attempts to equate the instruction of Smith, Jr. with the test step of the claimed invention. However, Smith, Jr. does not teach that its instruction performs one possible variation of a transaction. Nowhere does Smith, Jr. teach arranging the test data into at least one row of potential test cases that include an actor, a starting point, and a test step as defined in the claimed invention. The claimed invention, in contrast, includes "...the test data is arranged into at least one row of potential test cases that each include an actor that indicates who is performing the potential test cases, a starting point that indicates the location from which the potential test cases will be commenced, and a test step required to perform one possible variation of a transaction." Claim 5. As such, the test data as included in the claimed invention, rather than being an ordered list of customizing files as in Smith, Jr., has at least one row of potential test cases. Furthermore, each row of potential test cases as included in the claimed invention includes an actor that indicates who is performing the potential test cases, a starting point that indicates the location from which the potential test cases will be commenced, and a test step required to perform one possible variation of a transaction.

For the above reasons, the test data as included in the claimed invention is not equivalent to the ordered list of customizing files of Smith, Jr. Accordingly, Applicant requests that the rejection be withdrawn.

With respect to the Office's other arguments regarding dependent claims, Applicant herein incorporates the arguments presented above with respect to the independent claims from which the claims depend. Furthermore, Applicant submits that all dependant claims are allowable based on their own distinct features. Since the cited art does not teach each and every feature of the claimed invention, Applicant respectfully requests withdrawal of this rejection.

B. REJECTION OF CLAIMS 6, 7, 9, 21, 22, 28 and 29 UNDER 35 U.S.C. §103(a)

With regard to the 35 U.S.C. §103(a) rejection over Smith, Jr., Applicant asserts that the combined references cited by the Office fail to teach or suggest each and every feature of the claimed invention. For example, with respect to claims 6 and 21, Applicant respectfully submits that the combined references fail to teach or suggest "...the test script file is an executable file that is automatically run by an automation tool." The Office admits that Smith, Jr. does not explicitly disclose automatically running the test script with an automation tool. Instead, the Office states that, based on the background on Smith, Jr., it would have been obvious to one of ordinary skill at the time of the invention to include the automatic testing due to the importance of thorough testing. However, Smith, Jr. teaches away from an executable file, in that the test script generated by Smith, Jr., instead of automatically running with an automation tool, appears to be written in a macro language that is capable of running independently of an automation tool. Col. 2, lines 8-22; FIG. 2. For the above stated reasons, Applicant asserts that the combined

references cited by the Office do not teach an executable file. Accordingly, Applicant respectfully requests that the Office withdraw the rejection.

With respect to claims 7 and 22, Applicant respectfully submits that the combined references fail to teach or suggest "...the test script file is a documentation file that is manually run by a user." The Office admits that Smith, Jr. does not explicitly disclose automatically running the test script manually by a user. Instead, the Office takes Official Notice that in the art of software testing it is well known to use a stepping procedure performed manually by a user to step through a program in order to debug a program. However, this factual assertion is unsubstantiated and is not properly based upon common knowledge. Furthermore, the test script generated by Smith, Jr., instead of being a documentation file that is manually run by a user, appears to be written in a macro language that is capable of running independently of a user.

FIG. 2. For the above stated reasons, Applicant asserts that a test script file that is a documentation file that is manually run by a user is not obvious to one skilled in the art as asserted by the Office. Accordingly, Applicant respectfully requests that the Office withdraw the rejection or support the finding with references that show these features.

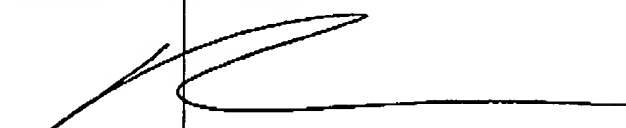
With regard to the Office's other arguments regarding dependent claims, Applicant herein incorporates the arguments presented above with respect to independent claims listed above. In addition, Applicant submits that all dependant claims are allowable based on their own distinct features. However, for brevity, Applicant will forego addressing each of these rejections individually, but reserves the right to do so should it become necessary. Accordingly, Applicant respectfully requests that the Office withdraw its rejection.

IV. CONCLUSION

In light of the above, Applicant respectfully submits that all claims are in condition for allowance. Should the Examiner require anything further to place the application in better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the number listed below.

Respectfully submitted,

Date: April 18, 2005



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